

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CATHERINE MCKOY, MARKUS FRAZIER
and LYNN CHADWICK individually and on
behalf of all others similarly situated,

Case No. 18-cv-09936 (LGS)

Plaintiffs,

- against -

THE TRUMP CORPORATION, DONALD J.
TRUMP, in his personal capacity, DONALD
TRUMP, JR., ERIC TRUMP, and IVANKA
TRUMP,

**DECLARATION OF PETER T.
SHAPIRO IN OPPOSITION TO
PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION**

Defendants.

-----X

Peter T. Shapiro, an attorney at law duly admitted to practice before this Court, affirms as follows under the penalties of perjury:

1. I am a partner of Lewis Brisbois Bisgaard & Smith LLP, co-counsel for Defendants. I submit this declaration in opposition to plaintiffs' motion for class certification in order to place certain relevant evidence before the Court.

2. Annexed hereto as Exhibit A are excerpts from the deposition transcript of Plaintiff Lynn Chadwick.

3. Annexed hereto as Exhibit B are excerpts from the deposition transcript of Plaintiff Marcus Frazier.

4. Annexed hereto as Exhibit C are excerpts from the deposition transcript of Plaintiff Catherine McKoy together with part of Exhibit 10 thereto, which is her ACN IBO agreement. The agreement is representative of the agreements all IBOs were required to sign.

5. Annexed hereto as Exhibit D are excerpts from the deposition transcript of former Plaintiff Millard Williams.

6. Annexed hereto as Exhibit E are excerpts from the deposition transcript of non-party Jessica Howard.

7. Annexed hereto as Exhibit F are excerpts from the deposition transcript of Robert Merriman of ACN which are not included among those pages from this transcript that are annexed to the moving declaration of Matthew D. Brinkerhoff, Esq. as Exhibit 1. Also part of Exhibit F are the first pages of exhibits 38 and 51 to the transcript. The other pages of those exhibits are not presented due to page limit constraints.

8. Annexed hereto as Exhibit G are excerpts from the deposition of Donald J. Trump.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9. Annexed hereto as Exhibit H are excerpts from the deposition of Donald J. Trump, Jr.

10. Annexed hereto as Exhibit I are excerpts from the deposition of Eric Trump.

11. Annexed hereto as Exhibit J are excerpts from the deposition of Ivanka Trump.

12. Annexed hereto as Exhibit K is the Declaration of Angelique Davis.

13. Annexed hereto as Exhibit L is the Declaration of Al Plumb.

14. Annexed hereto as Exhibit M is the Declaration of John Barringer.

15. Annexed hereto as Exhibit N is the Declaration of Devonne Richardson.

16. Annexed hereto as Exhibit O are pertinent excerpts from Plaintiff McKoy's Responses to Defendants' Requests for Admissions.

17. Annexed hereto as Exhibit P are pertinent excerpts from Plaintiff Chadwick's Responses to Defendants' Requests for Admissions.

18. Annexed hereto as Exhibit Q are pertinent excerpts from Plaintiff Frazier's Responses to Defendants' Requests for Admissions.

19. Annexed hereto as Exhibit R are pertinent excerpts from the expert report of Robert Peterson. The entire report is being submitted to Chambers via email as directed.

20. Annexed hereto as Exhibit S are pertinent excerpts from the expert report of Isabella Cunningham. The entire report is being submitted to Chambers via email as directed.

21. Annexed hereto as Exhibit T is the Declaration of Joseph F. Hair, Jr. Excerpts from his expert report are Exhibit A thereto. The entire report is being submitted to Chambers via email as directed.

Dated: April 7, 2023

/s/ Peter T. Shapiro
PETER T. SHAPIRO